

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JIANGSU SAGA HOLDINGS CO., LTD.,

Plaintiff(s),

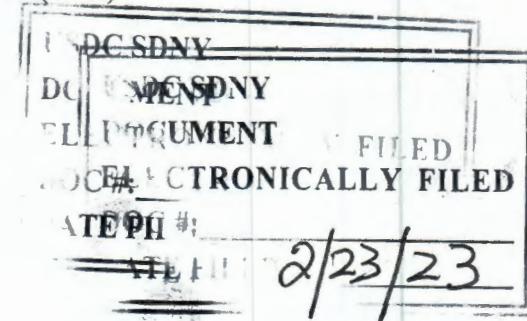
- against -

E-Z APPAREL, LLC, GABRIEL
ZEITOUNI, CHARLES AZRAK,

Defendant(s).

ORDER FOR CONFERENCE
PURSUANT TO RULE 16(b)

22 Civ. 5972 (LLS)



SCHEDULING ORDER

Pursuant to this Court's January 19, 2023 Order for Conference Pursuant to Rule 16(b) [Doc. No. 16], Plaintiff, Jiangsu Saga Holdings Co., Ltd. (the "Plaintiff"), and Defendants, E-Z Apparel, LLC; Gabriel Zeitouni; and Charles Azrak (the "Defendants" and collectively with the Plaintiff, the "Parties"), hereby submit the following Scheduling Order:

1. The Rule 16(b) Conference was held on February 23, 2023. Appearing for the Plaintiff was Hanoch Sheps of Mazzola Lindstrom LLP. Appearing for the Defendants was Matalon Tawil LLC, by David R. Tawil.
2. Plaintiff brings this action for goods sold to the corporate Defendant, and claims alter ego liability against the individual Defendants. The corporate Defendant alleges Plaintiff breached any contracts by failing to deliver goods timely, and failing to deliver goods that conformed to the quality requirement. As a result of Plaintiff's breaches, the corporate Defendant suffered damages for which it is counter-claiming. The individual Defendants allege they did not personally enter into any contracts with the Plaintiff, and have no liability under any theory.
3. The Parties propose the following schedule:

- a. The parties anticipate depositions of the following: Corporate representative of Plaintiff; Corporate representative of E-Z Apparel LLC; Corporate representative of Sam's Club (non-party); Charles Azrak; and Gabriel Zeitouni. All depositions are to be completed on or before August 22, 2023.
- b. Initial requests for production and initial sets of interrogatories will be exchanged on or before March 22, 2023 and responses thereto shall be due on April 22, 2023, with actual production of documents by May 22, 2023.
- c. Affirmative expert reports to be served by September 22, 2023; Rebuttal expert reports to be served by October 22, 2023; Expert depositions by November 22, 2023.
- d. End date for all discovery shall be December 15, 2023.
- e. Plaintiff will supply pre-trial order materials to Defendants on or before January 31, 2024.
- f. Pre-trial order to be submitted by the parties on or before February 29, 2024.
- g. The final pre-trial conference shall be held on Friday March 8, 2024 at 12 o'clock noon
- h. The parties shall serve post-deposition demands for production and interrogatories within 30 days of the last fact deposition and respond within 30 days of service.
- i. These interim deadlines may be adjusted by the parties without further order of the Court.

j. Either party may amend its pleadings on or before April 7, 2023.

Thereafter, pleadings may be amended only upon motion pursuant to FRCP 15.

4. The parties have no limitations to be placed on discovery, including protective or confidentiality orders, at this time.

5. There are no discovery issues on which counsel were unable to reach an agreement at this time.

6. Anticipated fields of expert testimony, if any, include:

- a. Plaintiff: Alleged lost profits; reputational harm.
- b. Defendants: Custom and practice in the industry; damages suffered by corporate Defendant;

7. The Parties anticipate that this matter will take three days of trial before a jury.

8. Except as otherwise noted above, this Scheduling Order shall be altered or amended only on a showing of good cause not foreseeable at the time of the conference or when justice so requires.

Isl Hanoch Sheps.

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Louis L. Stanton

Louis L. Stanton
United States District Judge

Feb. 23, 2023